

AUG 08 2008

CERTIFICATE OF FAX TRANSMISSION

Transmission Date: **08 August 2008** Docket: **1030-018**Transmission #: **1** of Total Transmissions: **1**Pages in this Transmission: **9** of Total Pages Transmitted: **9**

I hereby certify that the following correspondence is being facsimile transmitted, via one or more transmissions as described above, to the attention of the Director of the US Patent and Trademark Office on the above date via the following facsimile number: 571-273-8300.

Information Disclosure Statement (4 sheets)
Form PTO-1449 (2 sheets)
Fee Transmittal Form (PTO/SB/17) (1 sheet)
Credit Card Payment Form (PTO-2038) (1 sheet)

Application Number 10/519,637
Confirmation No.: 9141
Filing Date: 28 December 2004
Document Submission Date: 08 August 2008

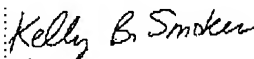
Art Unit: 3637
Examiner: Safavi, Michael
Inventor: Tyler, Rodney
Docket: 1030-018

08 Aug 2008

Date

Kelly B. Smoker

Name of Certifier



Signature of Certifier

AUG 08 2008

PATENT

Application 10/519,637

Attorney Docket 1030-018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) **Tyler, Rodney**
Application **10/519,637**
Confirmation **9141**
Filed **12/28/2004**
Application Title **Containment Systems, Methods, and Devices**
Art Unit **3637**
Latest Examiner **Safavi, Michael**

INFORMATION DISCLOSURE STATEMENT (IDS)

Mail Stop Amendment

Commissioner for Patents

United States Patent and Trademark Office (USPTO)

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97, and 1.98, the attention of the USPTO is hereby directed to the attached listing of documents and/or the attached Declaration. For each document listed under "Foreign Patent Documents" or "Non Patent Literature Documents", one copy of that document is attached.

It is respectfully requested that the listed documents:

- (1) be expressly considered during the prosecution of this application;
- (2) be made of record therein; and
- (3) appear among the "References Cited" on any patent to issue therefrom.

08/11/2008 VBUI11 00000001 10519637

01 FC:1806

180.00 OP

PATENT**Application 10/519,637****Attorney Docket 1030-018**

Although the information submitted herewith might be "material" to the USPTO's consideration of this application, this submission is not intended to be an admission that such information qualifies as "prior art" as to any claimed subject matter. The filing of this Information Disclosure Statement is not to be construed to mean that a search has been made.

The following marked paragraphs are applicable in this IDS:

Timing of this IDS:

- ☐ **A.** This IDS is being filed per 37 CFR 1.97(b)
- ☐ (1): within 3 months of the U.S. filing date other than a CPA under 1.53(d);
- ☐ (2): within 3 months of the date of entry of the national stage as set forth in 1.491 in an international application;
- ☐ (3): before the mailing date of a first Office Action on the merits; **OR**
- ☐ (4): before the mailing date of a first Office Action associated with a request for continued examination (RCE) under 1.114;

AND, thus, no certification or fee is required.

- ☒ **B.** This IDS is being filed per 37 CFR 1.97(c), **AFTER** the period specified in 37 CFR 1.97(b) [section A of this IDS], and **BEFORE**:
- (a) the mailing date of any Final Action under 1.113,
- (b) a Notice of Allowance under 1.311, **OR**
- (c) an action that otherwise closes prosecution,

AND, per 37 CFR 1.97(e), I hereby certify that:

- ☐ (1) each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this IDS ; **OR**

PATENT

Application 10/519,637

Attorney Docket 1030-018

- ☐ (2) no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than 3 months prior to the filing of this IDS

OR, per 37 CFR 1.97(c), this IDS is accompanied by:

- ☒ (3) payment of the fee under 37 CFR 1.17(p) to ensure consideration of the disclosed information.

- ☐ C. This IDS is being filed per 37 CFR 1.97(d), AFTER the period specified in 37 CFR 1.97(c) [section B of this IDS], and ON or BEFORE the payment of the Issue Fee;

AND, per 37 CFR 1.97(e), I hereby certify that:

- ☐ (1) each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this IDS; **OR**
- ☐ (2) no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than 3 months prior to the filing of this IDS

AND, per 37 CFR 1.97(d), this IDS is accompanied by:

- ☐ (3) payment of the fee under 37 CFR 1.17(p) to ensure consideration of the disclosed information.

Related U.S. Application(s):

- ☒ L. This application is one of a series of related applications, namely, U.S. Patent Application Nos. 10/208,631, (now US Patent No. 7,226,240); 11/879,316; 11/804,163;

PATENT

Application 10/519,637

Attorney Docket 1030-018

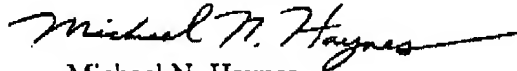
11/823,390; and 12/103,822, which are directed to related technical subject matter. The identification of those U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the documents cited therein during the examination.

CONCLUSION

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

Michael Haynes PLC



Michael N. Haynes

USPTO Registration 40,014

Date: 08 August 2008

1341 Huntersfield Close

Keswick, VA 22947

Telephone: 434-972-9988

Facsimile: 815-550-8850

AUG 08 2008

To: Central FAX USPTO @ 571-273-8300 From: Kelly B at Michael Haynes PLC

Pg 8/ 9 08/08/08 2:55 pm

Approved for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/03/2004.
Fees pursuant to the Consolidated Appropriations Act, 2006 (H.R. 4818).

FEE TRANSMITTAL **For FY 2008**

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **180.00**

Complete If Known

Application Number **10/519,637**
Filing Date **28 December 2004**
First Named Inventor **Tyler, Rodney**
Examiner Name **Safavi, Michael**
Art Unit **3637**
Attorney Docket No. **1030-018**

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):
☒ Deposit Account Deposit Account Number: **50-2504** Deposit Account Name: **Michael N. Haynes**
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185
Total Claims	Extra Claims	Fee (\$)
- 20 or HP =	0	x 25 =
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP =	0	x 105 =
HP = highest number of independent claims paid for, if greater than 3.		
Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
		0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets - 100 = **Extra Sheets** / 50 = **Number of each additional 50 or fraction thereof** x **Fee (\$)** = **Fee Paid (\$)**

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount) **Fee Paid (\$)**
Other Submission of IDS **180**

SUBMITTED BY

Signature *Michael N. Haynes* Registration No. (Attorney/Agent) Telephone
Name (Print/Type) Date **08 Aug 2008**

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.